

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOSE MICHAEL RIVERA, :

Petitioner : CIVIL ACTION NO. 3:13-2225

v. : (JUDGE MANNION)

WARDEN DAVID EBBERT, :

Respondent :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**
HEREBY ORDERED THAT:

1. The above captioned petition for writ of habeas corpus is **DISMISSED** as untimely under the statute of limitations. See 28 U.S.C. §2244(d).
2. The Clerk of Court is directed to **CLOSE** this case.
3. There is no basis for the issuance of a Certificate of Appealability. See 28 U.S.C. §2253(c).

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: January 27, 2014

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